

## **REMARKS**

### ***Interview Summaries***

The undersigned attorney and Examiner Tan Le participated in a first telephone interview on June 19, 2006 to discuss the rejection of claims 2-3 and 5-8 based on US 2002/0185583. The undersigned argued that screw 34 of the cited reference does not brake rotation of the pivot arm in the rotary bearing , and thus does not correspond to a “mechanical brake” as claimed. The Examiner argued that some slight braking occurs. Agreement was not reached.

The undersigned attorney and Examiner Tan Le participated in a second telephone interview on June 21, 2006, during which the undersigned authorized the Examiner to make an Examiner’s Amendment incorporating the limitations of claims 3 and 4 into claim 2 to make all claims allowable in accordance with the Final Office Action. The examiner indicated that he would mail out a response shortly after holding a quality control conference with the Supervisory Patent Examiner.

### ***Present Amendment***

The undersigned has not received an Examiner’s Amendment as of today, July 7, 2006, the three-month due date for response. A voice mail message was left for Examiner Tan Le on July 5, 2006 to inquire about the expected Examiner’s Amendment, and the undersigned has not heard back. Consequently, this paper is filed in the event that an Examiner’s Amendment was not entered, in accordance with applicant’s duty to respond.

Claim 4 was found to contain allowable subject matter. The amendment incorporates the limitations of claims 3 and 4 into claim 2, and claims 3 and 4 are cancelled. Claim 5, which had depended from claim 3, is amended to depend from claim 2. It is believed the present amendment corresponds to what was agreed upon between the undersigned and the Examiner, and makes all claims allowable.

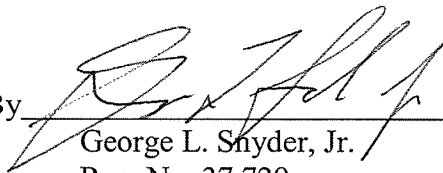
Entry of the present amendment and allowance of the application are respectfully sought.

***Conclusion***

The present application is respectfully considered to be in a condition for allowance, and a Notice of Allowance is kindly sought. If the Examiner has any questions, the undersigned attorney may be contacted at the number provided below.

Respectfully submitted,

HODGSON RUSS LLP

By   
George L. Snyder, Jr.  
Reg. No. 37,729

GLS/

One M&T Plaza, Suite 2000  
Buffalo, New York 14203-2391  
(716) 856-4000  
DATED: July 7, 2006